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9 Attorneys for Plaintiff
10 IRETA IRBY

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 IRETA IRBY,

15 Plaintiff,

16 vs.

17 BROOKS HENDERSON HADEN,

18 Defendant.

Case No.: 3:08 C-80004MISC-PJH

**DECLARATION OF IRETA IRBY IN
SUPPORT OF:**

**IRETA IRBY'S OPPOSITION TO
MOTION TO VACATE JUDGMENT
AND FOR PERMANENT INJUNCTION
AGAINST ENFORCEMENT OF
TEXAS JUDGMENT IN CALIFORNIA**

Hearing Date: May 14, 2008

Time: 9:00 a.m.

Dept.: 3

Judge: Phyllis J. Hamilton

19 I, Ireta Irby, declare and state:

20 1. I was born in the State of Louisiana and resided here until 1958. I then returned in
21 May 1988 and have lived here continuously since that time. Between 1959 and May 1988, I was
22 a resident of Houston, Texas. I am the Judgment Creditor in the above matter. As a result, I have
23 personal and first hand knowledge of the facts stated herein and if called to testify could do so
24 competently.

25 2. I obtained a default judgment against Brooks Henderson Haden ("Haden") in 1988
26 in the United District Court for the Southern District of Texas.
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1 3. I subsequently hired a private investigator to literally search for him around the
2 United States to attempt to execute on my judgment. My private investigator finally located
3 Haden in California in 1996. I then retained Nicolas De Lancie of Lofton, De Lancie and Nelson
4 to execute on my Texas Judgment.

5 4. Mr. DeLancie located a partnership interest held by Haden and attempted to
6 execute on it. Unfortunately, as soon as the Sheriff was about to seize Haden's assets, he filed a
7 voluntary bankruptcy petition under Chapter 7 of the Bankruptcy Code.

8 5. I subsequently filed an adversary proceeding against Haden in his bankruptcy case
9 to have the Bankruptcy Court determine that the Texas Judgment was non-dischargeable because
10 he had committed fraud against me. In 1998, the Bankruptcy Court determined that the Texas
11 Judgment was non-dischargeable.

12 6. I subsequently hired several private investigators and served Haden with numerous
13 discovery to determine the extent of his assets. I have also retained attorneys to ensure that Texas
14 Judgment did not go dormant under Texas state law.

15 7. To date, Haden has not satisfied any amount of the Texas Judgment.

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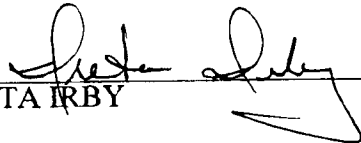
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1 I declare under penalty of perjury of the laws of the United States of America that the
2 foregoing is true and correct.

3 Executed on this 23 day of April at Ruston, Louisiana.

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6 IRETA IRBY
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